

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

No. C-10-03561-WHA (DMR)

Plaintiff,

**ORDER DENYING DEFENDANT'S
MOTION TO COMPEL AS UNTIMELY
FILED**

v.

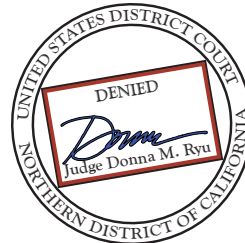
GOOGLE, INC.,

Defendant.

Before the court is the parties' joint discovery letter dated August 5, 2011. [Docket No. 280.] Despite the August 5, 2011 date on the letter's face, the court notes that Defendant filed the letter on August 8, 2011. The deadline for filing motions to compel discovery in this matter, however, closed on August 5, 2011. [See Docket No. 257.] On August 16, 2011, the court filed an order to show cause as to why the court should not treat the letter as untimely filed. [Docket No. 306.] Defendant submitted its responses on August 23, 2011. [Docket No. 351.] Having examined all relevant papers, the court determines that the letter was untimely filed and, therefore, DENIES Defendant's motion to compel.

IT IS SO ORDERED.

Dated: August 29, 2011



DONNA M. RYU
United States Magistrate Judge